

BOARD REPORT

STATE BOARD OF CHIROPRACTIC EXAMINERS

P.O. Box 672

JEFFERSON CITY, MO 65102

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Governor Appoints New Members



Mary A. Holyoke

On June 26, 1997, Governor Mel Carnahan appointed Mary A. Holyoke, D.C. to the Missouri State Board of Chiropractic Examiners to replace Dr. Theresa Price. We sincerely appreciate Dr. Price's service to the Board and her contributions to the National Board of Chiropractic Examiners in the administration of the Part IV examination. Dr. Price was appointed to the Board on January 8, 1992 and served until May 15, 1997. The Board and its staff wish Dr. Price the best of luck in all her future endeavors.

Dr. Holyoke has been in private practice in DeSoto, Missouri, for the past twenty-two years. Dr. Holyoke is a 1966 graduate of Logan College of Chiropractic in Chesterfield, Missouri. She has been a licensed Missouri chiropractor since July 1967 and holds a specialty certification in Meridian Therapy/Acupressure/Acupuncture.

Dr. Holyoke is a member of the Missouri Chiropractic Association, American Chiropractic Association and the Jefferson County Chiropractic Association. Dr. Holyoke is also very involved in community and civic organizations. She has been a member of the DeSoto Chamber of Commerce since 1990 where she was recently elected to serve on the board of directors for a three year term. Dr. Holyoke has been a member of the Kiwanis since 1993. Her past memberships include service on the Valle Ambulance District Board for six years, two as president. She also served as president and secretary of the Elks Ladies Auxiliary.

Dr. Holyoke is married and has two children. Her husband is Nick Blackford. Her children are Laura Holyoke, age 31; and Paula Boynton, age 32. She has two grandchildren, Tanner, age 2½; and Romni, age 1½. We welcome Dr. Holyoke to the State Board of Chiropractic Examiners and congratulate her on her recent Senate Confirmation.

On October 9, 1997, Governor Mel Carnahan appointed Charlotte S. Hill to the Missouri State Board of Chiropractic Examiners as its new public member. Ms. Hill replaces Opal Baldwin who passed away in April 1997.

Ms. Hill is a graduate of the University of Kansas City (now UMKC) where she received her Bachelor's degree in Speech. She went on to receive her Master's degree in Communication Studies at the University

of Missouri – Kansas City with her thesis in nonverbal communication. Ms. Hill is also a hypnotherapist certified by the International Association of Counselors and Therapists. She has taught Communication and English courses in high schools located in Missouri, Kansas and Japan and served as an adjunct professor in communication studies at the University of Missouri at Kansas City.

Included in her impressive list of professional positions, Ms. Hill was the Assistant Vice President and a National Sales Representative of Tenenbaum-Hill Associates, Kansas City, Missouri. She was the trainer for the company and in charge of offices in Colorado and Houston. She served clients in over 40 states. At the present time, Ms. Hill is the executive director of the Kenneth C. Hill Charitable Foundation in Kansas City and is responsible for directing the foundation's resources to worthwhile civic and community needs. She also maintains a private practice in hypnotherapy from her home in Kansas City. Ms. Hill is a motivational speaker and teaches at seminars throughout the area.

Ms. Hill is involved in a number of state and local fundraising activities. She is currently the Vice Chair of Renaissance West and is responsible for fundraising, membership development and organizational direction to a city-wide (26 year-old) drug and alcohol rehabilitation program. Ms. Hill has also served as President of the Hope Care Center where she worked toward the formation of a nursing home to care exclusively for HIV/AIDS patients. There are only four such facilities in the nation. On May 1st, Ms. Hill will be a partner in a new company formed to do internet web pages and manage the Kansas City Guide. The company name is Cyber Depot. Ms. Hill's other affiliations include: The AIDS Council of Greater Kansas City; The Central Exchange; and Ms. Hill was named in the 1997 Marquis edition of Who's Who of American Women. Ms. Hill has appeared as a guest on television shows and newscasts. Ms. Hill was married on April 11, 1998, to Larry Malone. She has one son, Joshua Hill, age 26.



Charlotte S. Hill

Continuing Education Requirements in 1998

Recently, the Missouri State Board of Chiropractic Examiners published an article in the newsletter of the Missouri State Chiropractors Association to answer questions regarding the new continuing education requirements for 1998. The Board is reprinting the article in this newsletter to hopefully avoid any confusion during the next renewal cycle.

To renew a license in 1998 and each year after that, the required number of postgraduate hours shall be twenty-four (24). Four of the twenty-four hours must be in X-ray diagnosis, four (4) hours must be in differential or physical diagnosis, or both, and four (4) hours must be in emergency procedures or boundary training, or both. Every three years this four (4) hours must be in Human Immunodeficiency Virus (HIV) or infectious diseases. The remaining twelve (12) hours can be of the

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doctor's choice. The postgraduate education requirements vary for those licensees holding specialty certifications.

Contrary to what some doctors believe, boundary training is not a requirement in 1998. The licensee has a choice to obtain the additional four (4) hours required in 1998 in either boundary training or emergency procedures. The additional four (4) hours may be a combination of both boundary training and emergency procedures. Although boundary training and/or emergency procedures is an additional continuing education requirement beginning in 1998, the statute and rule implementing this requirement has been on the books for quite some time. In 1981, the chiropractic law was amended with the passage of Senate Bill 16. This amendment to the chiropractic law provided the State Board with the authority to set the requisite number of postgraduate hours required for relicensure between the range of twelve (12) to twenty-four (24) hours. By law, the Board is not allowed to increase the number of hours in excess of twelve (12) hours by more than four (4) hours in any two year period. The Board is also required to give advance notice of one year to all chiropractors licensed in this state before increasing the number of required hours. Most licensees will recall that the first increase of four (4) hours was implemented in 1994. Beginning in 1994, licensees were required to obtain twelve (12) general hours and four (4) hours in X-ray diagnosis. In 1996, the hours were increased to twenty (20), with the additional four (4) hours required in differential or physical diagnosis, or both. The last four (4) hour increase goes into effect in 1998, and the licensee must obtain the additional four (4) hours in either boundary training or emergency procedures, or both.

Each time the hours increased, licensees were notified in writing as required by law. In the most recent State Board Report published in June 1997, an article appeared about the increase in continuing education hours for 1998. There was also a notice mailed to all licensees on August 26, 1997, regarding this new requirement. However, notice of this additional requirement was made as early as November of 1995 in the State Board Report. The Professional Associations and the Chiropractic Colleges in Missouri were informed of the changes even before the rule amendments were proposed. The amendment to the Board's rule increasing the number of continuing education hours went into effect on February 26, 1993. The different categories of continuing education hours were established by rule on January 31, 1994. Therefore, the Board does not feel there have been any shortages in the notification process. Up to this point, the Board has received no complaints regarding the gradual increase in the number of continuing education hours. It has only been with the implementation of the boundary training/emergency procedures requirement beginning in 1998 that has caused some licensees to complain. This may be a result of a misunderstanding regarding boundary training. As mentioned earlier, boundary training is not a requirement in 1998. A licensee can obtain his/her additional four (4) hours in 1998 in either boundary training or emergency procedures.

Because there appears to be some resistance to boundary training, the Board believes it is important to explain why chiropractors need this type of training. In fiscal year 1997, twenty-four percent (24%) of the total number of complaints received by the Board against licensed chiropractic physicians involved sexual misconduct. In the previous year, that number was thirteen percent (13%). It is obvious that the number of instances of sexual misconduct complaints are on the rise and the Board has an obligation to the citizens of the State of Missouri to effectively deal with this problem. The Board believes strongly that if licensees are educated and trained in the area of professional boundaries, it will help reduce the number of sexual misconduct complaints significantly. It is essential that professionals maintain adequate and therapeutic professional boundaries. Between one to twelve percent (1 – 12 %) of physicians report sexual contact with patients. The percentage of physicians reporting a sexual attraction toward a patient is as high as eighty percent (80%). Ninety percent (90%) of those who experience sexual violations are women; seventy-five percent (75%) of those who commit them are men. However, the most obsessive behavior tends to occur between female patient and female doctor. It is now well established that a sexual relationship between physician and patient is almost always damaging to the patient. Damage includes, but is not limited to, sexual dysfunction, anxiety disorders, depression, increased risk of suicide and dissociative behavior.

There is a unique bond shared between chiropractor and patient. People in our culture are "touch hungry." A lack of awareness of sexual feelings on the part of the practitioner can lead to abuse intentionally, or more often, unintentionally. In most healing arts, touch is minimal or non-existent. In chiropractic, it is the essence of diagnosis and healing. However, it is important to note that most causes of complaints are generally poor communication. Chiropractors fail to communicate performance of procedures. Other forms of poor communication may involve jokes with sexual overtones or innuendoes, or complimenting dress or looks especially at inappropriate times or in inappropriate ways. The most damaging to the chiropractor is believing you are immune. No one is immune. However, through education and training a chiropractor may be better able to recognize danger signals ahead of time and adjust attitudes and perceptions to avoid miscommunications with a patient. Let us all adopt the analogy that as chiropractors, we would rather prevent the problem rather than act after the crisis occurs.

We hope this information provides you with a better understanding of the need for boundary training. If you still believe there is not a need for such training, please join the Board when it offers free seminars in your area. If, after attending one of our free seminars, you still feel there is not a need for boundary training, let us hear from you in writing. Your comments are always welcome. For a free seminar in your area, keep a watch out for 1998 seminar information that will be mailed from the Board office in the next few months.

Board Sponsored Continuing Education

The Board presented a four hour program in Columbia, Missouri, on December 11, 1997. Dr. Larry Spicer, Executive Director of the Minnesota Board of Chiropractic Examiners, presented a three hour session on boundary training. Dr. Richardson presented a one hour session on statute and rule updates. Only twenty-eight chiropractic physicians took advantage of this free four hour program. However, the attendee evaluations were very positive. Twenty-two of the twenty-four evaluation sheets returned to the Board shows that the seminar was beneficial. Overwhelmingly, the boundary training was the topic the participants found most informative. Twenty of the twenty-four participants recommended this seminar to other members of the profession. Some of the comments received included, "Tell us what we can do as chiropractors to fulfill our duties to our patients," "I feel that this should be a part of every chiropractic college's curriculum. If we inform the new practitioner, we would see a decline in sexual complaints," "Thank you for a good informative program," and "Very timely information." At this time, the Board has not scheduled its seminar dates for 1998. We hope to have more participation in future seminars. If not, the Board will seriously consider the need to continue the program.

Health Resources Statistics

The Missouri Department of Health State Center for Health Statistics recently published the Missouri Health Manpower for 1994. The following information was taken from this publication.

In 1994, 1,264 chiropractors actively practiced in Missouri. This total represents a net increase of 191 chiropractors since 1980 – a 17.8 percent expansion. This is a sizable increase, but nearly all of these new people have settled in the metropolitan regions of the state. In fact, the number of chiropractors in metropolitan regions has increased from 794 to 1,015, while the nonmetropolitan regions have a smaller total number of active chiropractors in 1994 (249) than they did in 1980. Of course, not all the regions remained the same. Ten had fewer chiropractors in 1994 (Northwest Missouri, Green Hills, Mark Twain, Show-Me, Bootheel, Mo-Kan, Northeast Missouri, Boonslick, Kaysinger Basin and South Central Ozark). Eight gained

(East-West Gateway, Mid-America, Southwest Missouri, Mid Missouri, Meramec, Lake of the Ozarks, Southeast Missouri and Harry S. Truman which was formerly Ozark Gateway). One, Ozark Foothills, remained the same.

The age distribution for chiropractors suggests that future replacement needs are questionable since three areas (Green Hills, Northeast Missouri and Mo-Kan) show zero chiropractors under the age of 35 and over the past six years the total number of chiropractors 35 years of age or younger has been decreasing. Even with the decrease in chiropractors under 35, slightly over half of all practicing chiropractors are under age 45. Of the 638 chiropractors under the age of 45, 104 or 16% are practicing in the non-metropolitan regions of the state. However, these nonmetropolitan regions have seen a net decrease of 4 chiropractors under 45 since 1992.

Chiropractors are predominantly white (98 percent) and male (83 percent). Ninety-two percent indicate that they are general practitioners; orthopedics is the only practice specialty to comprise over 2 percent of the profession. The overwhelming majority work in a private office (89 percent) and are self-employed (86 percent).

Two chiropractic colleges are presently located in the state: Cleveland College in Kansas City and Logan College in St. Louis. Together, these two in-state schools have educated eight out of every ten Missouri chiropractors (78.3 percent). Among other states with chiropractic colleges, only Iowa has contributed a significant proportion of the Missouri supply (9 percent).

The Missouri Health Manpower publication contains statistical information for all professions. For licensed chiropractors, the statistics that are available from 1994 include licensed chiropractors by activity status, with rates, by county, for regional planning commission areas; active chiropractors by ten-year age groups for regional planning commission areas; active chiropractors by race; active chiropractors by primary specialty; active chiropractors by primary form of employment; and active chiropractors by place of professional education. For more information, please write to the Missouri Department of Health State Center for Health Statistics, P.O. Box 570, Jefferson City, Missouri 65102-0570.

Meeting Schedule for 1998

The Missouri State Board of Chiropractic Examiners is scheduled to meet on the following dates in 1998.

May 28, 1998
August 6, 1998
December 3, 1998

With the exception of the May meeting, all meetings will be held at the Division of Professional Registration – Main Conference Room, 3605 Missouri Boulevard, in Jefferson City, Missouri. The public is invited to attend the open session of any Board meeting. An open agenda is available for public distribution approximately two (2) weeks prior to each regularly scheduled meeting of the Board.

Renewals

On or about December 1, 1997, the State Board of Chiropractic Examiners mailed out 1,833 applications to renew chiropractic license. As of February 27, 1998, 1,498 (81.7%) have successfully renewed. Currently, there are approximately 150 renewal applications that cannot be processed because the Board has not received proof of the licensee having earned the requisite number of continuing education hours. The licenses of these chiropractors will be inactivated unless the Board receives the documentation needed (continuing education receipts) to complete the application process. If the licensee did not earn the requisite hours of continuing education by December 31, 1997, the Board will charge an additional fee of \$50.00 before issuing the license. Licenses not renewed on

or before March 2, 1998, have been inactivated. As of this date, 89 licenses have been inactivated for failure to renew. The Board expects that additional licenses will be inactivated from the 150 who have attempted renewal but have not completed the process because of not providing adequate proof of having met the requisite continuing education requirements. The Board encourages licensees to mail in their continuing education receipts as soon as the licensee receives them from their continuing education providers. Faxed copies are accepted if the copies are legible.

Disciplinary Actions

Under Board Rule 4 CSR 70-2.066 (1), the Missouri State Board of Chiropractic Examiners must publish or cause to be published all disciplinary actions regarding licensees, including the name of the licensee, the license number, any terms of suspension or probation, or other disciplinary action whether by consent or order. Disciplinary actions may be published in any professional journal read by licensed chiropractors practicing in Missouri, in any newspaper of general circulation, in any newsletter published by the Board, or in any of these publications. The Board has chosen to use its newsletter to comply with the provisions of this rule. Since the printing of the Board's last newsletter, disciplinary action has been imposed on the following licensees.

Thomas R. Culligan, D.C. License No. 5605
License suspended for a period of three years. Suspension effective date: 7/23/97. Upon completion of the three year suspension, license is to be placed on probation for a period of five years. Discipline imposed for violation of Section 331.060.2(2), RSMo.

Robert L. Dubinick, D.C. License No. 5103
License placed on probation for a period of two years effective 4/1/97 for violation of Section 331.060.2(2), RSMo.

David C. Guenther, D.C. License No. 5308
License suspended for a period of three months. Suspension stayed and license placed on probation for a period of five years for violation of 331.060.2(18), RSMo.

James T. Logan, D.C. License No. 3911
License placed on probation for a period of two years effective 4/10/97 for violation of Section 331.060.2(2), RSMo.

Oliver W. Phillips, D.C. License No. 2749
License suspended for a period of three years. Suspension stayed and license placed on probation for a period of five years effective 8/28/97 for violation of Section 331.060.2(2), RSMo.

Glenn T. Seward, D.C. License No. 3534
License suspended for a period of one year. Suspension stayed and license placed on probation for a period of five years effective 1/2/98 for violation of Section 331.060.2(2), RSMo.



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